

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MIKAYLA CIRSTI
MCNAMARA and JEANA DIANN
MCNAMARA, Minors.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED
December 19, 2006

Petitioner-Appellee,

v

LEORA MCNAMARA,

Respondent-Appellant.

No. 270460
Lenawee Circuit Court
Family Division
LC No. 03-000003-NA

Before: Murphy, P.J., and Smolenski and Kelly, JJ.

MEMORANDUM.

Respondent appeals as of right from the circuit court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

The circuit court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondent failed to rectify the conditions that led to adjudication, which included her history of serious mental health issues and substance abuse, both of which impaired her ability to parent her children, and her failure to benefit from prior services. She did not follow up on her mental health evaluations or treatment, failed to participate in parenting or budgeting classes, and failed to obtain a stable source of income. Her actions and inactions demonstrated that she would not be able to provide proper care and custody for her children within a reasonable time considering the ages of the children. In addition, there was a reasonable likelihood that, because of respondent's conduct and capacity, the children would suffer harm if returned to her care.

Furthermore, the evidence did not establish that the children's best interests precluded termination of respondent's parental rights. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 353;

612 NW2d 407 (2000). The circuit court did not err in terminating respondent's parental rights to the minor children.

Affirmed.

/s/ William B. Murphy
/s/ Michael R. Smolenski
/s/ Kirsten Frank Kelly